

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**ALBERTO PATINO,
MARIA DEL ROSARIO MARTINEZ,
MARIA MARI,
RODOLFO R. TENREIRO, and
PATRICIA GONZALES,
Plaintiffs,**

VS.

Civil Action No. 4:14-CV-03241-LHR

**CITY OF PASADENA,
Mayor JOHNNY ISBELL,
Council Members ORNALDO YBARRA,
BRUCE LEAMON, DON HARRISON,
PAT VAN HOUTE,
CODY RAY WHEELER, PHIL
CAYTEN, STEVE COTE, and
DARRELL MORRISON,
*Defendants.***

JOINT STATUS REPORT REGARDING MEDIATION/ADR

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Pursuant to Paragraph 2 of the Amended Scheduling and Docket Control Order (Docket No. 40), plaintiffs Alberto Patino, Maria Mari, Patricia Gonzales, Maria Carmen Mendoza, Frank Borrego, Gabriel Rocha Barreto, Richard Serna, and Joseph John Marquez ("Plaintiffs") and defendant City of Pasadena ("Defendant") file the following report regarding mediation/ADR:

1. The parties respectfully advise that they do not believe mediation or another form of alternative dispute resolution would be helpful in this case.

2. Because Plaintiffs complain of the Pasadena City Council election system that was approved by Pasadena voters as an amendment to the City Charter, this is not a case in which the parties are likely to be able to reach a prompt settlement or resolution. The relief requested by Plaintiffs can only be achieved through an additional charter amendment, which would require

another election, or a judicial ruling that the charter provision establishing the voting system at issue is unconstitutional or a violation of the Voting Rights Act. *See Overton v. City of Austin*, 748 F.2d 941, 954-57 (5th Cir. 1984).

3. Further, the issue presented in this case — whether some city council seats will be elected at-large rather than by single-member districts — is one where there is little opportunity for compromise even if the parties were able to reach and implement an agreement within the constraints recognized in *Overton*.

4. The parties further advise that they are working well together to complete discovery.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that on January 8, 2016, a true and correct copy of the foregoing Joint Status Report Regarding Mediation/ADR was served on all counsel of record via the electronic case filing system of the United States District Court for the Southern District of Texas.

/s/ Kathryn K. Ahlrich